



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

NOV 28 2003

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ken Ramm, Environmental, Health, Safety
and Regulatory Manager
3M Company Specialty Materials Manufacturing Division
22614 Route 84 North
Cordova, Illinois 61242

Re: Finding of Violation
3M Company Specialty
Materials Manufacturing
Division
Cordova, Illinois

Dear Mr. Ramm:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to 3M Company Specialty Materials Manufacturing Division (you). We find that you are violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412, at your Cordova, Illinois facility.

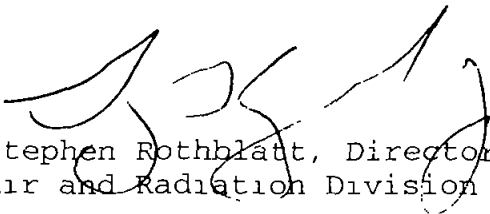
We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the FOV.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contacts in this matter are Constantinos Loukeris and Kathy Memmos. You may call them at (312) 353-6198 and (312) 353-4293 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,



Stephen Rothblatt, Director
Air and Radiation Division

FOR

Enclosure

cc: Julie Armitage
Illinois Environmental Protection Agency
P.O. Box 19506
Springfield, Illinois 62794-9506



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REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

NOV 28 2003

(AE-17J)

Julie Armitage, Section Manager
Compliance and Systems Management Section
Illinois Environmental Protection Agency
P.O. Box 19506
Springfield, Illinois 62794-9506

Re: Finding of Violation
3M Company Specialty Materials
Manufacturing Division
Cordova, Illinois

Dear Ms. Armitage:

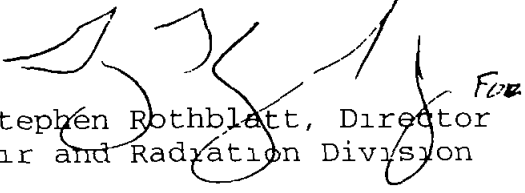
Enclosed is a copy of the Finding of Violation (FOV) that the United States Environmental Protection Agency issued today to 3M Company Specialty Materials Manufacturing Division. We find that 3M Company Specialty Materials Manufacturing Division at 22614 Route 84 North in Cordova, Illinois 61242 is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412, and 40 C.F.R. Part 63 Subpart GGG.

The five pharmaceutical processes are in violation of the National Emissions Standards for Hazardous Air Pollutants for Pharmaceutical Production for not evaluating emissions accordingly with the Pharma-MACT standard in the emission models for those processes. Evidence of the violations was discovered through inspections performed at the 3M Company facility in Cordova, Illinois on June 2-3, 2003, October 22, 2003 and also through the compliance reports that have been submitted by the facility for the Pharma-MACT rule.

Section 113 of the Clean Air Act, 42 U.S.C. § 7413, gives us several enforcement options including issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We hope that this FOV will substantially aid 3M Company's efforts to comply.

Sincerely yours,



Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: Mike Knobloch, IEPA

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)	
)	
3M Company Specialty)	FINDING OF VIOLATION
Materials Manufacturing)	
Division)	EPA-5-04-IL-04
Cordova, Illinois)	
)	
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>		

FINDING OF VIOLATION

The United States Environmental Protection Agency (U.S. EPA) finds that 3M Company is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, 3M Company is violating the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Pharmaceutical Production at 40 C.F.R. Part 63, Subpart GGG as follows:

Regulatory Authority

1. The NESHAP for Pharmaceutical Production defines an affected source as a source that: a) manufactures a pharmaceutical product; b) is located at a plant site that is a major source as defined in Section 112(a) of the Clean Air Act (CAA) and; c) processes, uses, or produces Hazardous Air Pollutants (HAPs).
2. The NESHAP for Pharmaceutical Production was proposed on April 2, 1997 and became final on September 21, 1998. The owner or operator of an existing affected source must comply with the provisions of this subpart no later than October 21, 2002. 40 C.F.R. § 63.1250(f)(1).
3. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(A), requires an owner or operator to determine uncontrolled HAP emissions from vapor displacement due to transfer of material.
4. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(B), requires an owner or operator to determine uncontrolled HAP emissions from purging.
5. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(C), requires an

owner or operator to determine uncontrolled HAP emissions from heating.

6. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(D), requires an owner or operator to determine uncontrolled HAP emissions from depressurization.

7. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(E), requires an owner or operator to determine uncontrolled HAP emissions from vacuum systems.

8. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(F), requires an owner or operator to determine uncontrolled HAP emissions from gas evolution.

9. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(G), requires an owner or operator to determine uncontrolled HAP emissions from air drying.

10. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(H), requires an owner or operator to determine uncontrolled HAP emissions from empty vessel purging.

11. The NESHAP, at 40 C.F.R. § 63.1257(d)(3)(i)(B), requires an owner or operator to determine controlled HAP emissions from a condenser acting as a control device using exhaust gas temperature measurements and calculations for each batch emission episode.

Factual Background

12. 3M Company owns and operates a chemical plant at 22614 Route 84 North in Cordova, Illinois 61242.

13. 3M Company is subject to the requirements at 40 C.F.R. Part 63 Subpart GGG.

14. 3M Company has two "burden centers" which are subject to the Pharmaceutical MACT, BC-34 and BC-3A.

15. 3M Company submitted an incomplete Notification of Compliance Status Report (NOCSR) on March 20, 2003 to U.S. EPA.

16. U.S. EPA conducted inspections of 3M company on June 2-3, 2003 and October 22, 2003.

Violations: Emission Calculation

17. 3M Company has modeled the Pharmaceutical-MACT processes, Cordran, Ioban, Duraprep Step 1, DuraPrep Step 2, and Duraprep Step 3, incorrectly in its emission model software. This constitutes violations of 40 C.F.R. § 63.1257(d)(2)(i)(A), 40 C.F.R. § 63.1257(d)(2)(i)(B), 40 C.F.R. § 63.1257(d)(2)(i)(C), 40 C.F.R. § 63.1257(d)(2)(i)(D), 40 C.F.R. § 63.1257(d)(2)(i)(E), 40 C.F.R. § 63.1257(d)(2)(i)(F), 40 C.F.R. § 63.1257(d)(2)(i)(G), 40 C.F.R. § 63.1257(d)(2)(i)(H), and 40 C.F.R. § 63.1257(d)(3)(i)(B).

11/28/03
Date


Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Finding of Violation, No. EPA-5-04-IL-04, by Certified Mail, Return Receipt Requested, to:

Ken Ramm, Environmental, Health, Safety
and Regulatory Manager
3M Company Specialty Materials Manufacturing Division
22614 Route 84 North
Cordova, Illinois 61242

I also certify that I sent copies of the Finding of Violation by first class mail to.

Julie Armitage, Section Manager
Compliance and Systems Management Section
Illinois Environmental Protection Agency
P.O. Box 19506
Springfield, Illinois 62794-9506

Mike Knobloch, District Engineer
Illinois Environmental Protection Agency
1630 - 5th Avenue
Moline, Illinois 61265

on the 1st day of December, 2003.

Shanee Rucker
Shanee Rucker,
Administrative Program Assistant
AECAS, (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 70010320000602960862